

(President in the chair.)

Discussion continued.

(Senator Guy in the chair.)

Continued discussion.

(The president in the chair.)

The pending bill, substitute for Senate bill No. 5, entitled "An act defining and prescribing what funds shall constitute the available school fund, and repealing all laws in conflict therewith," was then engrossed by the following vote:

YEAS.			
Blassingame,	Ford,	Ledbetter,	Storey,
Brown,	Hobby,	Martin,	Street,
Buchanan,	Lair,	McCulloch,	Terrell,
Edwards,	Lane,	Moore,	Tilson—16.
NAYS.			
Burnett,	Grace,	Patton,	Stewart,
Burton,	Houston,	Ripetoe,	Swain—11.
Davenport,	Motley,	Shannon,	

Senator Homan did not vote; was paired with Senator Duncan—he would vote "nay," and Senator Duncan "yea," on this question.

Senator Guy was paired with Senator Gooch—he would vote "no" and Senator Gooch "yea" on this question.

At midnight, Senator Houston moved to adjourn until 10 o'clock Monday morning.

Carried and the Senate adjourned.

TWELFTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, June 23, 1879. }

Senate met pursuant to adjournment; president in the chair. Roll called; quorum present. Prayer by Rev. Dr. Smoot.

On motion of Senator Motley, the reading of the journals of Saturday was dispensed with, and the same were approved.

Senator Davenport presented the petition of the members of the bar of Coleman county, asking the Legislature to not change the number of the terms of their district court from three, as it is now, to two terms a year, and giving many reasons for the same, the strongest of which is that the jurisdiction of their county court has been changed, and as they have no county court, it is highly necessary to have three terms of the district court a year to properly discharge the business of the county.

Referred to the committee on judicial districts.

Senator Stewart, chairman of judiciary committee No. 2, submitted the following report:

COMMITTEE ROOM, AUSTIN, June 23, 1879.

Hon. J. D. Sayers, President of the Senate :

Your judiciary committee No. 2 have had under consideration Senate bill No. 46, "An act to fix in favor of contractors, sub-contractors and material men, liens on railroads for labor done thereon, and material furnished therefor, and to provide for the speedy and efficient enforce-

ment of said liens," and I am instructed by a majority of said committee to report said bill back to the Senate and recommend that it do pass.

STEWART, *Chairman*.

Senator Storey, chairman of finance committee, submitted the following report:

COMMITTEE ROOM, AUSTIN, June 23, 1879.

Hon. J. D. Sayers, President of the Senate:

Your committee on finance, to whom was referred Senate bill No. 32, "An act amendatory and supplementary of 'an act amending and supplementing articles 4662, 4663, 4664, 4665, 4666, 4667 and 4668, inclusive, of chapter 1 of title 94 of the Revised Civil Statutes,'" adopted February 21, 1879, have carefully considered the same, and I am instructed by the committee to report the accompanying substitute for said bill and to recommend the passage of the substitute.

STOREY, *Chairman*.

The title of the said substitute is as follows: "An act to provide for the sleeping, dining-room, palace or parlor cars used upon the railroads in this state, and to prescribe the method of levying and collecting the tax hereby imposed upon the same, and to repeal all former laws in conflict therewith."

Substitute read first time.

Senator Ledbetter, chairman of committee on education, submitted the following report:

COMMITTEE ROOM, AUSTIN, June 23, 1879.

Hon. J. D. Sayers, President of the Senate:

Your committee on education, to whom was referred Senate bill No. 51, "An act to define what property used for school purposes is exempt from taxation under section 2, article 8 of the constitution," have had the same under consideration, and I am instructed by the committee to report it back to the Senate and recommend its passage.

LEDBETTER, *Chairman*.

Bill read first time.

Senator Martin introduced a bill to be entitled "An act to extend the time within which railway corporations heretofore organized under the general laws of the State of Texas, and having begun the construction of their road and required to construct, equip and put in good running order portions thereof."

Referred to committee on internal improvements.

Also, a bill entitled "An act to prohibit the sale or purchase of certain farm products after nightfall."

Referred to judiciary committee No. 1.

The following message was received from his excellency the governor:

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, June 23, 1879. }

To the honorable Senate and House of Representatives, in Legislature assembled:

I desire most respectfully and urgently to call your attention to the subject of quarantine, in which every citizen of the state is profoundly interested, and should expect from the Legislature the adoption of such measures as will if possible exclude from our borders the yellow fever and other infectious diseases of similar character. In April last a proclamation was issued, declaring quarantine against all vessels from ports south

of twenty-five degrees north latitude, because it was ascertained that yellow fever existed in ports south of that line, liable to have trade and communication with the ports of Texas. At once Dr. R. Rutherford, the state health officer, visited the different ports of our gulf coast to put himself in communication with the local boards of health, and to ascertain what places or points on the coast required to be made quarantine stations, where there is no city or town authorities to act, so that health officers might be appointed at such places by the governor, in pursuance to article 7341 of Paschal's Digest, second volume, which is made article 4092 of the Revised Civil Statutes. Accordingly health officers have been appointed at Brazos Santiago. There are other places of the kind where it is very important health officers and guards should be appointed at which small vessels may land, or enter without being liable to inspection by any of the local boards established by the town or city authorities on the coast. There is much danger of the yellow fever being introduced into the state through these unguarded points on the coast. The difficulty of a full provision against this danger will be seen by the reference which will be made to existing laws on the subject.

First, then, the state of the law as it now exists on quarantine will be mentioned. The eighty-third title of the Revised Civil Statutes embraces in condensed form the previous laws of 1870 and 1874 in article 4090 to 4098, both inclusive. The act passed at the late session of the Sixteenth Legislature is an amendment and supplement to this. Title 83, by attaching to article 4090, thirteen other articles, indicating them by letters from "a" to "m."

By this is plainly exhibited the intention to make the articles in the Revised Civil Statutes (which are copied from laws in force now), and the amendment and supplement passed by the Sixteenth Legislature a complete regulation of our quarantine.

An examination will make it obvious that some additional provisions are actually necessary to make it complete. It will be seen that these statutes contemplate that the quarantine, when declared by the governor, shall be carried into execution by the local boards of health in towns, cities and counties, and by such officers as the governor may appoint for the places when there are no local authorities (under article 4092, Revised Civil Statutes), and by the state health officer, acting in aid of the governor in ascertaining the necessity for declaring quarantine at any part of the border of the state, and in settling disagreements between local boards as prescribed in act of Sixteenth Legislature articles 4090*d*, 4090*e*, 4090*b*, 4090*h*.

POWERS OF OFFICERS AND BOARDS UNDER THE LAW.

Neither the governor nor the state health officer has any control over the manner in which the local boards shall execute the laws relating to quarantine, unless a dispute should arise between two or more local boards, which would ordinarily happen after the yellow fever had entered the state, whereas the leading object should be to have a uniformity of regulation under the direction of the state health officer approved by the governor, so as to keep the yellow fever out of the state, so that there would be no disputes to settle between local boards after it gets in.

EXPENSES OF QUARANTINE AND HOW PAID.

The Sixteenth Legislature appropriated \$20,000 generally for the expenses, and \$5000 for the erection of necessary buildings at stations.

The law of 1870 provided for certain fees upon vessels landing in

Texas ports to be levied and used by the local authorities at the ports, and if there was a deficiency they had a right to present their account for the balance to the comptroller for allowance, and his order on the treasury for it. The right of the state to levy such a fee was contested and resisted successfully in the federal court at Galveston, several years ago, since which time, all of the quarantine expenses have been allowed by the comptroller upon the certificate of local boards, in accordance with the law of 1870, copied in article 4097 of the Revised Civil Statutes.

The law then copied in article 4096 of the Revised Civil Statutes, has been inoperative in aiding the state to pay the expenses, as was anticipated from it. The state health officer is allowed ten dollars per day and all necessary traveling expenses, to be paid on the approval of the governor (article 4090c, laws Sixteenth Legislature). There is a provision that no health officer shall draw from the state treasury more than ten dollars per day, while in service (article 4090m). Those under the control and appointed by local boards, get their pay through the accounts of said boards, allowed and ordered by the comptroller (article 4097, Revised Civil Statutes, and article 4090m, laws Sixteenth Legislature). But there is no provision whatever for the manner in which the health officers appointed by the governor, at places where there are no local boards, shall be paid (see article 4092, Revised Civil Statutes). It is made the duty of such health officers, so appointed by the governor, as well as of those appointed by local boards, "to furnish persons detained by them at quarantine stations with subsistence and shelter" (article 4090k, Revised Civil Statutes), and still there is no mode provided for authenticating accounts for such expenses for allowance and payment. It is very important that this should be done, as it renders the compensation and expenses of such officers precarious, and may cause an abandonment of such places, much to the hazard of the whole state.

The regular appropriation act of the Sixteenth Legislature, appropriated \$5000 for building quarantine station houses at such points as the health officer may deem suitable. This act leaves it unprovided as to how that money is to be accounted for, or upon whose approval the accounts made in making said buildings shall be paid. There is therefore an uncertainty about the law as it now stands that may be a great impediment in carrying it out. Should it be desired to give the governor, with the aid of the state health officer, such authority in the management upon all the borders of the state as will enable them to keep and make them responsible for keeping the yellow fever out of the state, material amendments to the present laws must be made, so as to give them some control, which they have not now, either negative or affirmative, or both, over the action of the local boards on the borders of the state in the manner in which they act in their effort to keep it out. Under the existing laws, if the yellow fever is kept out of the state, it must depend on the local board on the coast, and on the borders of the state, and it is for the Legislature to determine whether it is to be left in that condition or not. The power of the governor now is simply, with the aid of the state health officer, to declare quarantine, to appoint certain health officers at necessary points where there are no local boards, and to settle disputes between local boards arising in their local regulations under the law. Having given this careful exposition of our quarantine regulations, as they now exist by law, I most respectfully recommend

that such amendments be made as will in the view of the Legislature be necessary to secure the objects intended, the leading one of which, above all others, should be to keep the yellow fever out of the state, and to let no conflicting interest of any sort stand in the way of its effectual accomplishment.

O. M. ROBERTS, *Governor*.

On motion of Senator Motley, Senator Terrell was excused for to-day.

Senator Blassingame entered a motion to reconsider the vote passing Senate bill No. 39, "To amend the act providing for the organization, etc., of the Normal School at Prairie View (formerly Alta Vista), in Waller county, Texas, passed at the last session of the Legislature."

Senator Motley presented the resignation of Col. J. M. Barton, sergeant-at-arms of the Senate, which is as follows:

OVERTON, TEXAS, June 21, 1879.

Hon. J. D. Sayers, Lieutenant Governor and President of the Senate:

DEAR SIR—I hereby tender to you and through you to the Senate, my resignation as sergeant-at-arms of your honorable body. I am sorry to have this to do, but my health is so bad that it will be imprudent for me to return. I have thought for some time that I would be able to return, and being anxious to do so, see you all and discharge my official duties to the close of the session, I have not until the present thought proper to offer my resignation. But having become fully satisfied that I will not be able to discharge the duties of my position during the session, I have concluded to resign. And in doing so permit me to return to you and the honorable senators over whom you preside, my most sincere thanks for your kindness in electing me to the place which I now hold, and in excusing me from duty during my protracted illness. I will ever appreciate your kind treatment and remember you all with gratitude during life.

Yours most sincerely, J. M. BARTON,

Sergeant-at-Arms, Senate.

On motion of Senator Motley, the resignation of Col. J. M. Barton was accepted.

A message was received from the House announcing the passage by that body of House bill No. 30, entitled "An act to postpone the time for the forced collection of taxes by levy and sale until the thirty-first day of October, A. D. 1879, in such county or counties in this state as had no legal collector of taxes for twelve months prior to the first day of March, A. D. 1879;" and House bill No. 3, entitled "An act making an appropriation to pay the interest on the public debt, and to pay the sinking fund."

The bills reported from the House were taken up by the president and referred as follows:

House bill No. 30 to committee on finance;

House bill No. 3 to committee on finance.

Senator Brown, chairman of committee on engrossed bills, submitted the following report:

COMMITTEE ROOM, AUSTIN, June 23, 1879.

Hon. J. D. Sayers, President of the Senate:

Your committee on engrossed bills, herewith report the following as correctly engrossed, viz:

Senate bill No. 18, entitled "An act to amend 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed February 21, 1879;"

Senate bill No. 34, entitled "An act to require the owner of surveys of land to pay the patent fee therefor before filing the field notes of the same in the general land office;"

Senate bill No. 39, entitled "An act to amend 'an act to provide for the organization and support of a normal school at Prairie View (formerly called Alta Vista), in Waller county, in this state, for the preparation and training of colored teachers,' approved April 19, 1879;"

Substitute Senate bill No. 5, entitled "An act defining and prescribing what funds shall constitute the available school fund, and repealing all laws in conflict therewith.

BROWN, *Chairman*.

The special order being substitute for Senate bill No. 5, "Defining what shall constitute the available school fund," was taken up.

Senator Storey moved a call of the Senate.

Call sustained.

Roll called; Senate full.

The pending bill was then passed by the following vote:

YEAS.

Blossingame,	Ford,	Ledbetter,	Storey,
Brown,	Hobby,	Martin,	Street,
Buchanan,	Lair,	McCulloch,	Tilson—15.
Edwards,	Lane,	Moore,	

NAYS.

Burnett,	Grace,	Ripetoe,	Stewart.
Burton,	Houston,	Shannon,	Swain—10.
Davenport,	Patton,		

Senator Homan stated he was paired with Senator Duncan—that he would vote "no" and Senator Duncan "aye" on this question.

Senator Guy stated he was paired with Senator Gooch—that he would vote "no" and Senator Gooch "aye" on this question.

Senator Motley was paired with Senator Terrell. He stated he would vote "no" and Senator Terrell "aye" on this question.

Senators Homan and Terrell gave notice of entering reasons on the journals for their votes.

On motion of Senator Buchanan, Senator Patton was excused for the day.

Senator Martin (by unanimous leave) called up House bill No. 15, entitled "An act to amend the ninth section of 'an act establishing the tenth, twelfth, thirteenth, twenty-eighth, twenty-ninth and thirtieth judicial districts, prescribing the times of holding the district courts therein, and providing for the appointment of district judges for the twenty-eighth, twenty-ninth and thirtieth judicial districts,'" approved February 22, 1879.

Bill read second time and passed to a third reading.

House bill No 11, entitled "An act to define the times of holding the terms of the district courts in the fifth judicial district of the State of Texas," was taken up, read third time and passed.

Senator Edwards called up his motion to reconsider the vote by which Senate bill No. 2, entitled "An act to make an appropriation for the establishment and maintenance of the public free schools of the state for the years ending August 31, 1880 and 1881," with reports, were laid on the table, and moved to lay the motion to reconsider on the table.

The motion to lay the motion to reconsider on the table was withdrawn.

On motion of Senator Houston, the motion to reconsider was postponed until Thursday next, just after the morning call.

A message was received from the House announcing the passage by that body of House bill No. 20, entitled "An act to repeal 'an act to amend article 4759 of the Revised Statutes of the State of Texas,' adopted on the day of February, 1879, approved April 22, 1879;"

And House bill No. 23, entitled "An act to enforce the collection of delinquent taxes."

House bill No. 20 was referred by the president to judiciary committee No. 2.

House bill No. 23 was referred to committee on finance.

Senate bill No. 9, entitled "An act supplemental to and amendatory of act entitled 'an act to make an appropriation for the support of the state government for the years beginning March 1, 1879, and ending February 28, 1881,' approved April 23, 1879," with substitute, was taken up.

Senator Swain moved to postpone the bill.

Lost by the following vote:

YEAS.			
Burnett,	Grace,	Ripetoe,	Stewart,
Burton.	Houston	Shannon,	Swain—9.
Davenport,			

NAYS.			
Blassingame,	Ford.	Ledbetter,	Storey
Brown,	Hobby.	Martin,	Street,
Buchanan,	Lair,	McCulloch,	Tilson—15.
Edwards,	Lane,	Moore,	

The following senators were paired—Senator Homan with Senator Duncan, Senator Guy with Senator Gooch, and Senator Motley with Senator Terrell. The first one in each pair would vote "aye." and the last "no" on this vote.

Senator Ledbetter offered the following amendment:

Amend by adding the following items:

LUNATIC ASYLUM.

	YEARS ENDING	
	Feb. 29, 1880.	Feb. 28, 1881.
For provisions for fifty additional patients.....	\$3,300	\$3,300
For additional attendants, seamstresses and laundresses	1,200	1,200
For one negro female attendant	180	180
For additional bedding.....	500	000
For erecting water-closet and removing old building.	500	000
For forage for milch cows and horses.....	500	500
For one female night watch.....	300	300

Adopted.

Senator Burnett offered the following amendment:

Page 4, lines one and two, strike out the words "for repairs of building" and insert in lieu thereof the following "for furniture;" and strike out the figures "1500," and insert "500."

Adopted.

Item one of the bill being the provision for the interest and sinking and, was adopted.

Senator Stewart offered the following amendment to item two, being the provision for public free schools, viz:

On line eight, strike out "\$275,833 33" wherever it occurs, and insert \$356,250."

Lost by the following vote:

YEAS.			
Burnett,	Grace,	Ripetoe,	Stewart,
Burton,	Houston,	Shannon,	Swain—9.
Davenport,			
NAYS.			
Blassingame,	Ford,	Ledbetter,	Storey,
Brown,	Hobby,	Martin,	Street,
Buchanan,	Lair,	McCulloch,	Tilson—15.
Edwards,	Lane,	Moore,	

Senator Guy stated that he was paired with Senator Gooch—he would vote “aye” and Senator Gooch would vote “nay.”

Senator Homan stated that he was paired with Senator Duncan—he would vote “aye” and Senator Duncan would vote “nay.”

Senator Motley stated that he was paired with Senator Terrell—he would vote “aye” and Senator Terrell would vote “nay.”

Senator Homan offered the following amendment:

Strike out all after the word “revenues,” in line thirteen, and page 21.

Lost by the following vote:

YEAS.			
Burnett,	Grace,	Ripetoe,	Stewart,
Burton,	Houston.	Shannon,	Swain—9.
Davenport,			
NAYS.			
Blassingame,	Ford,	Ledbetter,	Storey,
Brown,	Hobby,	Martin,	Street,
Buchanan,	Lair,	McCulloch,	Tilson—15.
Edwards,	Lane,	Moore,	

Senator Guy stated that he was paired with Senator Gooch—he would vote “aye” and Senator Gooch “nay.”

Senator Homan stated that he was paired with Senator Duncan—he would vote “aye” and Senator Duncan “nay.”

Senator Motley stated that he was paired with Senator Terrell—he would vote “aye” and Senator Terrell “nay.”

Senator Stewart offered the following amendment:

Strike out the words “and one-half of,” in line twelve, and the figures “275,833 33,” and insert “\$356,250;” and strike out “February 28, 1881,” in line eleven, and insert “September 1, 1881.”

Lost by the following vote:

YEAS.			
Burnett,	Grace,	Ripetoe,	Stewart,
Burton,	Houston.	Shannon,	Swain—9.
Davenport,			
NAYS.			
Blassingame,	Ford,	Ledbetter,	Storey,
Brown,	Hobby,	Martin,	Street,
Buchanan,	Lair,	McCulloch,	Tilson—15.
Edwards,	Lane,	Moore,	

Senator Guy stated that he was paired with Senator Gooch—he would have voted “yea,” and Senator Gooch “nay.”

Senator Homan stated that he was paired with Senator Duncan—he would have voted “yea,” and Senator Duncan “nay.”

Senator Motley stated that he was paired with Senator Terrell—he would vote “yea” and Senator Terrell “nay.”

The item making appropriation for the support of public free schools, was then adopted.

Senator Storey offered the following amendment:

Amend line twenty-five, page 2, by inserting after the word "exceed" the words "an average of."

Adopted.

Item three (comptroller's office) was then adopted.

Senator Homan offered the following amendment:

Strike out line thirty-one, page 2.

Withdrawn.

Item four (adjutant general's office) was then adopted.

Senator Grace offered the following amendment:

Amend by striking out lines four and five, page 3.

Senator Stewart moved a call of the Senate.

Call sustained.

Roll called. Absent—Ford, Ledbetter.

On motion of Senator Homan the call was suspended.

Senator Grace's amendment was then lost by the following vote:

YEAS.

Blassingame,	Grace,	Ripetoe,	Stewart,
Burnett,	Guy,	Shannon,	Swain—10.
Davenport,	Motley,		

NAYS.

Brown,	Ford,	Lane,	Storey,
Buchanan,	Hobby,	Martin,	Street,
Burton,	Homan,	McCulloch	Tilson—15.
Edwards,	Houston,	Moore,	

Not voting—Lair, Ledbetter.

Item five (the judiciary department) was then adopted by the following vote:

YEAS.

Brown,	Hobby,	Martin,	Storey,
Buchanan,	Homan,	McCulloch.	Street,
Burnett,	Lane,	Moore,	Tilson—13.
Edwards,			

NAYS.

Burton,	Houston,	Ripetoe,	Stewart,
Davenport,	Motley,	Shannon,	Swain—9.
Grace,			

Not voting—Blassingame, Ford, Guy, Lair, Ledbetter.

Senator Houston moved that the Senate stand adjourned until 9 o'clock A.M. to-morrow.

Lost by the following vote:

YEAS.

Burnett,	Houston,	Ripetoe,	Stewart,
Davenport,	Motley,	Shannon.	Swain—9.
Grace,			

NAYS.

Blassingame,	Ford,	Martin,	Storey,
Brown,	Hobby,	McCulloch,	Street,
Buchanan,	Lair,	Moore,	Tilson—14.
Edwards,	Lane,		

Not voting—Burton, Homan, Ledbetter.

Senator Guy stated that he was paired with Senator Gooch; he would have voted "aye" and Senator Gooch "nay."

Item six of the pending bill, being the department of insurance, statistics and history, was then read.

Senator Edwards moved that the Senate stand adjourned until 4 o'clock this afternoon.

Carried by the following vote:

YEAS.			
Blossingame,	Grace,	McCulloch,	Storey,
Brown,	Homan,	Moore,	Street,
Burnett,	Houston,	Motley,	Swain,
Edwards,	Lair,	Shannon,	Tilson—19.
Ford,	Martin,	Stewart,	
NAYS.			
Buchanan,	Davenport,	Hobby,	Ripetoe—5.
Burton,			
Not voting—Guy, Lane, Ledbetter.			

AFTERNOON SESSION.

Senate met pursuant to adjournment; president in the chair. Roll called; quorum present.

The consideration of the pending business, substitute for Senate bill No. 9, was resumed.

Senator Stewart offered the following:

In lines thirteen and fourteen, page 1, strike out all the words and figures therein contained "to item for sinking fund from September 1, 1878, to August 31, 1879."

Senator Ledbetter moved a call of the Senate.

Call sustained.

Roll called. Absent—Houston, Lane, Lair, Motley, Swain.

Pending business went to the table.

The Senate then went into the election of a sergeant-at-arms to fill the vacancy caused by the resignation of Col. Barton, late sergeant-at-arms of the Senate.

Senator Street nominated W. P. Fisher the assistant sergeant-at-arms for the vacant position.

Senators Street and Martin were appointed tellers.

On the first ballot, Mr. Fisher received 23 votes.

The president announced that as Mr. W. P. Fisher had received a majority of the votes cast he declared him duly and legally elected sergeant-at-arms of the Senate.

Mr. Fisher then came forward and took the oath of office.

Senator Grace offered the following resolution:

Resolved, That the office of assistant sergeant-at-arms be abolished for this session.

Adopted.

Also the following:

Resolved, first, That the office of enrolling clerk of the Senate is hereby declared vacant.

Resolved, second, That the Senate do now proceed to elect an enrolling clerk.

Senator Ledbetter called for a division of the resolution.

The first division of the resolution, "declaring the office of enrolling clerk vacant," was adopted.

The second division of the resolution, "to elect an enrolling clerk," was adopted.

Senator Grace nominated Mr. Alonzo T. Logan for enrolling clerk.

Senators Street and Martin were appointed tellers.

On the first ballot Mr. Logan received 24 votes.

The president then announced that as Mr. Logan had received a majority of the votes cast, that he declared him duly and legally elected enrolling clerk of the Senate.

Mr. Logan was then duly qualified.

Senator Storey entered a motion to reconsider the vote adopting the resolution to abolish the office of assistant sergeant-at-arms of the Senate.

Senator Storey called up Senate bill No. 37, entitled "An act to create the thirty-third judicial district, and to provide for the appointment of a district judge," with substitute for the same (which simply attaches the proposed new district to the nearest existing judicial district), offered by Senator Shannon.

The substitute was then adopted.

Senator Shannon offered the following amendment:

Strike out in the next to the last line the words "from and after" and insert "thirty days."

Adopted, and the bill ordered engrossed.

On motion of Senator Shannon, the rules were suspended and bill placed on its third reading by the following vote:

YEAS.

Blossingame,	Grace,	Ledbetter,	Ripetoe,
Burnett,	Guy,	Martin,	Shannon,
Burton,	Hobby,	McCulloch,	Stewart,
Davenport,	Homan,	Moore,	Street,
Edwards,	Houston,	Motley,	Tilson—23.
Ford,	Lair,	Patton,	

NAYS—Storey.

Not voting—Brown, Buchanan, Lane, Swain.

Bill read third time and passed by the following vote:

YEAS.

Blossingame,	Grace,	Lair,	Patton,
Burnett,	Guy,	Ledbetter,	Ripetoe,
Burton,	Hobby,	Martin,	Shannon,
Davenport,	Homan,	McCulloch,	Stewart,
Edwards,	Houston,	Moore,	Street,
Ford,	Lane,	Motley,	Tilson—24.

NAYS—none.

Not voting—Brown, Buchanan, Storey, Swain.

The absent senators appearing, the Senate was announced full, and the consideration of substitute for Senate bill No. 9 (supplementary appropriation bill) was resumed—Senator Stewart's amendment pending.

Senator Grace offered the following as a substitute for the amendment of Senator Stewart:

Amend by striking out in line fourteen, first page, the figures "\$100,000" and insert "\$52,000."

(Senator Hobby in the chair.)

Senator Storey moved a call of the Senate.

Call sustained.

Roll called; Senate full.

Senator Grace's substitute was lost by the following vote:

YEAS.

Burnett,	Houston,	Ripetoe,	Stewart,
Burton,	Lair,	Shannon,	Swain—10.
Davenport,	Patton,		

NAYS.

Blassingame,	Hobby,	Martin,	Street,
Buchanan,	Homan,	McCulloch,	Storey.
Edwards,	Lane,	Moore,	Tilson—14.
Ford,	Ledbetter,		

The following senators were paired: Senator Guy with Senator Gooch, Senator Grace with Senator Brown, Senator Motley with Senator Terrell. The first of each pair would vote "aye" and the last ones "no" on this vote.

Senator Homan offered the following substitute for the amendment of Senator Stewart:

Strike out "\$100,000" and insert "\$78,000."

Lost by the following vote:

YEAS.

Burnett,	Lair,	Ripetoe,	Stewart,
Davenport,	Patton,	Shannon,	Swain—9.
Houston,			

NAYS.

Blassingame,	Hobby,	Martin,	Storey,
Buchanan,	Lane,	McCulloch,	Street,
Edwards,	Ledbetter,	Moore,	Tilson—13.
Ford,			

Not voting—Burton.

The following senators were paired, to wit: Senator Grace with Senator Brown, Senator Guy with Senator Gooch, Senator Homan with Senator Duncan, Senator Motley with Senator Terrell. The first of each pair of senators would vote "no" and the last ones "yea" on this question

Senator Stewart's amendment was then lost by the following vote:

YEAS.

Burnett,	Houston,	Ripetoe,	Stewart,
Burton,	Patton,	Shannon,	Swain—9.
Davenport,			

NAYS.

Blassingame,	Hobby,	Martin,	Storey,
Buchanan,	Lair,	McCulloch,	Street,
Edwards,	Lane,	Moore,	Tilson—14.
Ford,	Ledbetter,		

The following senators were paired, to wit: Senator Grace with Senator Brown, Senator Guy with Senator Gooch, Senator Homan with Senator Duncan, Senator Motley with Senator Terrell. The first of each pair would vote "yea" and the last ones "nay" on this vote.

Senator Stewart offered the following amendment:

On page 2, line two, strike out "\$100,000 00," and insert "\$78,280 00;" and, on line four, strike out "\$50,000 00" and insert "\$39,140 00."

Lost by the following vote:

YEAS.

Burnett,	Houston,	Ripetoe,	Stewart.
Burton,	Lair,	Shannon.	Swain—10.
Davenport,	Patton,		

NAYS.

Blassingame,	Hobby,	Martin,	Storey,
Buchanan,	Lane,	McCulloch,	Street,
Edwards,	Ledbetter,	Moore,	Tilson—13.
Ford,			

The following senators were paired, to wit: Senators Grace and Brown, Guy and Gooch, Homan and Duncan, and Motley and Terrell, the first-named of whom would vote "nay," and the last-named "yea."

Senator Patton offered the following resolution:

WHEREAS, The House of Representatives have this morning sent to the Senate House bill No. 3, which provides for the payment of the interest on our public debt and the two per cent sinking fund, authorized to be set aside by the constitution for the purpose of paying the bonded indebtedness of the state, and

Whereas, One installment of said interest becomes due on the first day of July next, and

Whereas, Said bill was this morning referred to the Senate committee on finance, and has already been passed upon by the finance committee of the House.

Resolved, That the finance committee be and they are hereby instructed to return said bill to the Senate to-morrow morning, with or without report.

Senator Edwards made the point of order that the resolution was out of order, pending the consideration of the bill now before the Senate.

Senator Patton moved the postponement of the pending business to take up his resolution.

Lost by the following vote:

YEAS.

Burnett,	Houston,	Ripetoe,	Stewart,
Burton,	Patton,	Shannon,	Swain—9.
Davenport,			

NAYS.

Blassingame,	Hobby,	Martin,	Storey,
Buchanan,	Lair,	McCulloch,	Street,
Edwards,	Lane,	Moore,	Tilson—14.
Ford,	Ledbetter,		

The following Senators were paired: Grace and Brown, Guy and Gooch, Homan and Duncan, Motley and Terrell. The first would vote "yea," and the last "nay."

(The president in the chair.)

Senator Guy offered the following amendment:

Amend by striking out lines four and five, on page 3, and inserting after the word "for," in eighth line, the words "supreme court and," and by striking out "500, 500," in ninth line and insert "900, 900," in lieu thereof.

Adopted.

Senator Houston offered the following amendment:

Strike out lines twenty and twenty-one, page 3.

Lost by the following vote:

YEAS.

Blassingame,	Grace,	Ripetoe,	Stewart,
Burton,	Houston,	Shannon,	Swain - 10.
Davenport,	Lair,		

NAYS.

Buchanan,	Hobby,	Martin,	Storey,
Burnett,	Lane,	McCulloch,	Street,
Edwards,	Ledbetter,	Moore,	Tilson—13.
Ford,			

Senators Guy and Gooch, Motley and Terrell, and Homan and Duncan were paired—the first named would vote “aye” and the last named “no” on this vote.

Item eight adopted.

Senator Edwards offered the following amendment:

“Change lines fourteen, fifteen, sixteen, seventeen and eighteen, page 3, to page 4, and put under head of ‘miscellaneous.’”

Adopted.

Senator Grace offered the following amendment:

“Amend by striking out lines twenty-three, twenty-four and twenty-five on page 3.”

Senator Stewart moved to adjourn until 9 o'clock A. M. to-morrow.

Lost by the following vote:

YEAS.

Blassingame,	Lair,	Patton,	Stewart,
Davenport,	Motley,	Shannon,	Swain—9.
Grace,			

NAYS.

Brown,	Edwards,	Lane,	Moore,
Buchanan,	Ford,	Ledbetter,	Storey,
Burnett,	Hobby,	Martin,	Street,
Burton,	Houston,	McCulloch,	Tilson—16.

Senators Homan and Duncan, Guy and Lair, and Motley and Terrell were paired. The first named would vote “aye” and the last named “no.”

Senator Grace's amendment was lost and item nine of the bill adopted.

Senator Patton offered the following amendment:

On page three in line twenty-eight add: “out of the university fund.”

Lost.

Senator Edwards offered the following amendment:

Insert after line twenty-one, page 3, a line as follows: “For 1879, a guard for East Texas Penitentiary, \$300.”

Adopted.

Senator Patton moved to adjourn until 9 o'clock A. M. to-morrow.

The vote on which resulted as follows:

YEAS.

Blassingame,	Grace,	Motley,	Shannon,
Burnett,	Houston,	Patton,	Stewart,
Burton,	Lair,	Ripetoe,	Swain—13.
Davenport,			

NAYS.

Brown,	Hobby,	Martin,	Storey,
Buchanan,	Lane,	McCulloch,	Street,
Edwards,	Ledbetter,	Moore,	Tilson—13.
Ford,			

Senators Homan and Guy were paired, with Senators Duncan and Gooch, as previously stated. The first would vote “aye” and the last “no.”

The president then declared the Senate adjourned until 9 o'clock A. M. to-morrow.